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TRANSMITTAL FORM

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Total Number of Pages in This Submission 95

Application Number	10/672,133
Filing Date	09/26/2003
First Named Inventor	Ewald
Art Unit	3625
Examiner Name	J. Smith
Attorney Docket Number	49663.21740

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Carlton Fields, P. A.		
Signature			
Printed name	Lance D. Reich		
Date	7/11/06	Reg. No.	42,097

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	EWALD	:	Group Art Unit:	3625
Serial No.	10/672,133	:	Examiner:	Smith, J.
Filed:	09/26/2003	:	Confirmation No.	6111
For:	SYSTEM AND METHOD FOR PURCHASING LINKED WITH BROADCAST MEDIA	:	Attorney Docket No.	49663.21740

SUPPLEMENTAL RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant submits this Supplemental Response along with further evidence in support of the Response and Declaration of Walter E. Thain, Jr., Pursuant to 37 C.F.R. §1.132, both filed in this case on June 20, 2006. Claims 1-19 remain pending in the present application. Entry of this Supplemental Response and evidence, and continued examination of the present application are hereby requested.

Remarks

Applicant submits herewith a copy of the "User Guide" for the Pioneer Inno portable satellite radio device for XM Radio service (such evidence recently obtained by Applicant). It is believed that the User Guide is published in 2006 as indicated by the copyright notice on the second reference page. Of particular importance, the User Guide illustrates that the Inno satellite radio receiver now uses the Napster® music download service to pay for and download songs to the receiver, as shown beginning at reference page 49. This addition of the back-end purchasing system supports Applicant's continued argument that the primary reference used to reject the present application, *Kesling, et al.* (US Publication No. 2002/0132575), does not enable a "purchase request" as is claimed in the present application.

Applicant firstly notes that *Kesling* is specifically directed to a "system for and method of implementing mobile commerce is a satellite radio broadcasting system." See